

Message

**From:** Environmental Law360 [news-q@law360.com]  
**Sent:** 6/9/2017 7:22:51 AM  
**To:** Duffy, Rick  
[Duffy.Rick@epa.gov]  
**Subject:**[SPAM] Wash. Supreme Court  
Revives Enviro's Open  
Meetings Case

ENVIRONMENTAL

All New: Law360's Expert Analysis Portal

Visit Our Expanded Platform for Reader Discussion & Debate

Friday, June 9, 2017

## TOP NEWS

### Wash. Supreme Court Revives Enviro's Open Meetings Case

The Washington Supreme Court ruled Thursday it was "plainly inappropriate" for a lower court to have partially dismissed an environmentalists' suit that argued several of the Port of Vancouver USA's executive sessions on a major rail oil export facility should have been conducted in public. [Read more »](#)

### Chimps Can't Secure Habeas Corpus, NY Appeals Court Says

Chimpanzees are not entitled to the same legal rights as people, a New York appellate panel unanimously ruled Thursday, in a decision challenging the denial of habeas corpus to a pair of male chimps requested by an animal rights group seeking to move them into a primate sanctuary. [Read more »](#)

### 1st Circ. Clears Dam Owners In Atlantic Salmon ESA Case

The First Circuit on Wednesday said it will not revive a case lodged by environmental groups against several power companies and the government in litigation over dams "taking" endangered Atlantic salmon along the Kennebec River in Maine, telling the groups to take their case up with the D.C. Circuit. [Read more »](#)

### EPA Probing Alleged Collusion Between Ex-Staffer, Monsanto

The Environmental Protection Agency's inspector general is looking into allegations that an EPA employee colluded with Monsanto to conduct a

## LAW FIRMS

Allen & Overy  
Anderson Kill  
Arnold & Porter Kaye Scholer  
Best Best  
Bock Hatch  
Bush Ross  
Butler Weihmuller  
Cooley  
Cravath Swaine  
Dechert  
Fisher Phillips  
Garrison Yount  
Greenberg Traurig  
Huber Slack  
Jenner & Block  
Jones Day  
Kelley Drye  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Markowitz Herbold  
Montgomery Rennie

biased review of the pesticide glyphosate, the agency has said. [Read more »](#)

### **Firm Says Fee Referral Deal For BP Oil Spill Cases Illegal**

A law firm accused of breaking an oral agreement with a financial company told a Florida federal court Wednesday that the company's suit should be thrown out because the alleged agreement, in which the company would receive a 10 percent cut of awards given to Deepwater Horizon clients the company referred, would be illegal. [Read more »](#)

## **ENFORCEMENT**

### **Climate Activist Convicted Of Burglary Charge In Wash.**

A Washington state jury on Wednesday convicted an environmental activist of second-degree burglary after a trial over allegations he shut off an emergency pipeline valve in a climate change-related protest, although the jury deadlocked on a second sabotage charge, according to the Climate Disobedience Center. [Read more »](#)

## **LITIGATION**

### **JPML Moves Emissions Suit Against Fiat To Calif.**

The U.S. Judicial Panel on Multidistrict Litigation has ordered that a U.S. Justice Department suit over Fiat Chrysler's alleged use of defeat devices to cheat on emissions tests be moved from Michigan to California federal court, saying the claims are related to multidistrict litigation taking place there. [Read more »](#)

### **Calif. Judge Says Tribe's Water Suit Can Go To Next Stage**

A California federal judge has allowed a suit from the Agua Caliente Band of Cahuilla Indians over groundwater rights against two water agencies to move forward, lifting a stay on the litigation despite the agencies' appeal of a ruling in the first stage of the case to the U.S. Supreme Court. [Read more »](#)

### **SunEdison Seeks OK For \$32M D&O Insurance Deal**

As part of its Chapter 11 exit plan, SunEdison Inc. asked a New York bankruptcy court Wednesday to approve a settlement that will generate \$32 million for the company's unsecured creditors in exchange for a release of claims against former and current SunEdison executives. [Read more »](#)

### **Companies Say €128M ICSID Award Should Stay In Euros**

Two companies seeking to enforce a more than €128 million arbitral award against Spain in a dispute over renewable energy subsidies urged a New York federal judge Wednesday not to convert the amount into U.S. dollars, saying Second Circuit precedent explicitly allows courts to keep it in euros. [Read more »](#)

### **Enviro Service Co. Sues NJ Spinoff Over Dropped Debts**

National environmental service firm U.S. Ecology Inc. sued the owners of a spun-off subsidiary in Delaware Chancery Court Thursday, claiming breaches of contract and accusing the buyer of failing to cover a range of assumed costs and obligations. [Read more »](#)

## **EXPERT ANALYSIS**

Native American Rights Fund

Norman Hanson

O'Melveny & Myers

Orrick Herrington

Pepper Hamilton

Potter Anderson

Redwine & Sherrill

Reed Smith

Ropes & Gray

Sidley Austin

Skadden

Snell & Wilmer

Sullivan & Cromwell

Susman Godfrey

Weil Gotshal

Wiley Rein

## **COMPANIES**

3M Company

Advocate Health Care Inc.

Aetna Inc.

Allscripts Healthcare Solutions Inc.

Allstate Corporation

American Bar Association

Ametek Inc.

Apache Corporation

BTI Consulting Group Inc.

Bourgeois Bennett LLC

Brookfield Asset Management Inc.

Center for Biological Diversity Inc.

DISH Network Corporation

Dignity Health

FCA US LLC

General Motors

Givaudan

ITC Holdings Corp.

International Business Machines Corporation

International Centre for Settlement of Investment Disputes

Johnson Controls Inc.

Kinder Morgan

LexisNexis Group

Liberty Media Corp.

Microsoft Corporation

Monsanto Company

New Enterprise Associates

## **Disposal Of Contamination: Be Careful What You Throw Away**

While the Superior Court of New Jersey's decision in Pollitt Drive LLC v. Engel does not establish any precedent, it is in keeping with a line of cases holding, somewhat surprisingly, that plaintiffs must retain the physical evidence from environmental remediations, says Mitchell Klein of Snell & Wilmer LLP. [Read more »](#)

## **Takeaways From 3 NJ Environmental Insurance Decisions**

In 2017, New Jersey has already witnessed three important decisions in the law of insurance coverage for hazardous waste site cleanup, each of which enhances policyholders' ability to obtain coverage for long-tail claims, say Robert Chesler of Anderson Kill PC and Robin Keliher of Willis Towers Watson PC. [Read more »](#)

## **LEGAL INDUSTRY**

### **Susman Godfrey Sets New High Bar For Associate Pay**

Susman Godfrey LLP has shattered the paradigm for associate pay, saying Thursday it was "breaking the market" by offering up to \$125,000 in sign-on bonus money to incoming lawyers in a move the firm says it hopes will attract the best talent. [Read more »](#)

#### **Analysis**

### **How 3M And Sears Are Slashing Their Law Firm Rosters**

Across the corporate world, legal departments have been striving to shrink their panel of go-to outside law firms and reduce their legal spend. Here, operations professionals from 3M and Sears explain the steps they've taken to downsize their law firm rosters. [Read more »](#)

### **3 Ways Attorneys And Law Firms Can Increase Productivity**

Attorneys are notorious for working tons of hours and burning the midnight oil, but not all of that time is always productive. Here, Law360 looks at ways to increase productivity and say goodbye to wasted time. [Read more »](#)

### **Atty Charged With Wife's Murder Tried To Sway Case, Says DA**

An Atlanta attorney pled not guilty at an arraignment hearing on Tuesday to the charge of murdering his wife, while also fielding accusations that he was trying to sway witnesses and a judge via telephone calls from jail. [Read more »](#)

### **Justices' Financial Disclosures Show More Stock Selloffs**

Chief Justice John Roberts and Justices Stephen Breyer and Samuel Alito, the only U.S. Supreme Court members that hold stock in individual public companies, continued to sell off those securities last year, according to a watchdog group's analysis Thursday of newly released financial disclosures. [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Jenner & Block LLP landed on top of this week's legal lions list for a win at the U.S. Supreme Court limiting SEC disgorgement orders, while King & Spalding LLP and Kirkland & Ellis LLP were dealt a blow when a New York bankruptcy judge cleared the way for millions of product liability claims to proceed against their client, General Motors. [Read more »](#)

Pitney Bowes Inc.  
Reed Elsevier  
Robertet SA  
Skype Technologies SA  
Space Exploration Technologies Corp.  
Steward Health Care System LLC  
SunEdison LLC  
TYCO International Ltd.  
TerraForm Power Inc.  
Tesoro Corporation  
The Travelers Companies Inc.  
Time Warner Cable  
Vivendi SA  
Weyerhaeuser Co.  
Willis Towers Watson PLC  
Zeughauser Group LLC  
iHeartMedia Inc.

## **GOVERNMENT AGENCIES**

Agua Caliente Band of Cahuilla Indians  
California Environmental Protection Agency  
Central Intelligence Agency  
Delaware Court of Chancery  
Federal Energy Regulatory Commission  
National Labor Relations Board  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Department of Health and Human Services  
U.S. Department of Justice  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
World Health Organization

## Senate Panel OKs Noel Francisco For Solicitor General Post

The Senate Judiciary Committee on Thursday approved two of President Donald Trump's nominees for top spots in his administration: Noel Francisco, who was tapped to be the U.S. solicitor general, and Steven Engel, who was chosen to lead the Office of Legal Counsel. [Read more »](#)

## Sidley Litigation Chief Leaves To Run Legal Aid Nonprofit

The Legal Assistance Foundation of Metropolitan Chicago on Thursday announced that a Sidley Austin LLP partner and Chicago litigation chief will be joining the organization as executive director. [Read more »](#)

## LexisNexis Picks Up San Francisco Startup Ravel Law

LexisNexis Legal & Professional has agreed to acquire Ravel Law, a venture-backed legal research and analytics firm that has developed artificial intelligence and machine-learning technologies that enable attorneys to quickly and efficiently mine and glean insight from court documents, the companies said Thursday. [Read more »](#)

### **JOBS**

[Search full listings or advertise your job opening](#)

<b>Energy &amp; Environmental Litigation Staff Attorney</b> Hunton & Williams LLP Charlotte, North Carolina	<b>Legal Analyst (Paralegal)</b> Metropolitan Water District Los Angeles, California
---	--

<b>Associate - Environmental Regulatory and Litigation</b> Coughlin Duffy LLP Morristown, New Jersey	<b>Environmental Associate</b> Stoel Rives LLP Seattle, Washington
--	--

Not sure if your firm subscribes? Ask your librarian.

We hope you found this message to be useful.  
However, if you'd rather not receive future emails of this sort,  
[you may unsubscribe here.](#)

Please DO NOT reply to this email. For customer support inquiries, please call 1-646-783-7100 or visit our [Contact Us](#) page.

Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011